

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 454 OF 2007
IN
CRIMINAL APPLICATION NO. 352 OF 2006
IN
CRIMINAL APPEAL NO. -- OF 2006

WITH

CRIMINAL APPLICATION NO. 455 OF 2007
IN
CRIMINAL APPLICATION NO. 353 OF 2006
IN
CRIMINAL APPEAL NO. -- OF 2006

WITH

CRIMINAL APPLICATION NO. 456 OF 2007
IN
CRIMINAL APPLICATION NO. 354 OF 2006
IN
CRIMINAL APPEAL NO. -- OF 2006

WITH

CRIMINAL APPLICATION NO. 457 OF 2007
IN
CRIMINAL APPLICATION NO. 355 OF 2006
IN
CRIMINAL APPEAL NO. -- OF 2006

M/s.Shalibhadra Traders	...Applicant
V/s.	
State of Maharashtra & Ors.	...Respondents

Mr.R.G. Sharma for the Applicant.
Mrs.M.M. Deshmukh, APP for the State in Cri.Appln.
No.455/2007.
Mr.Y.S. Shinde, APP for the State in Cri.Appln.
Nos.454/2007 and 456/2007.
Mr.Y.M. Nakhawa, APP for the State in Cri.Appln
No.457/2007.

CORAM : V.M. KANADE, J.

DATED : OCTOBER 30, 2007

P.C. :-

. Heard the learned Counsel for the applicant.

2. This is an application for restoration of the application for leave to file appeal which was dismissed for want of prosecution. Delay caused in filing this application is condoned. Since the respondents were not served when the application was dismissed for want of prosecution, in my view, it is not necessary to issue notice to the respondents.

3. For reasons stated in the application, the order dismissing the application for want of prosecution is set aside. It is stated in the application that in fact, the applicant has not committed any default and has served the copies on respondent no.2 and as such office had wrongly stated that the respondents were not served and dismissed it for want of prosecution. The statement is accepted and the application is, therefore, restored to the file.

4. Place it on the admission board on 5th December,

2007.

(V.M. KANADE, J.)